

CALIFORNIA COASTAL COMMISSION

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Wed 8 b

January 29, 2004

MEMORANDUM:

TO: Commissioners and Interested Parties

FROM: Deborah Lee, Senior Deputy Director
Teresa Henry, District Manager, South Coast District
Pam Emerson, Los Angeles County Area Supervisor
Melissa Stickney, Coastal Program Analyst

SUBJECT: Staff recommendation on City of Redondo Beach Major LCP Amendment No. 1-2003 (amending geographic segmentation, changing the LUP designation of eleven lots from commercial to residential; certifying zoning for those lots that is consistent with the proposed LUP amendment and incorporating a second-unit ordinance into the LIP.)

SUMMARY OF REQUEST AND STAFF RECOMMENDATION

The City of Redondo Beach requests the Commission approve an amendment to its certified Local Coastal Program (LCP) by 1) moving the boundary between the two segments of the City's coastal zone to add eleven lots to the certified area (Area One) and remove them from the Harbor-Pier Area (Area Two); 2) re-designating the eleven lots low density multiple family residential on the certified Land Use Plan (LUP) Map and 3) designating the lots R-3A residential on the certified Local Implementation Program (LIP) Zoning Map. The City also requests to amend the LIP to allow second units in limited circumstances, consistent with Section 65852.2(a) of the California Government Code.

The Redondo Beach LUP was certified in 1981. In 2001 the Commission approved an amendment that incorporated the land use and development standards of an updated General Plan into the LUP. In 2002, when the City submitted its implementation ordinance, it included an amendment to the LUP that applied to the harbor and pier area and to several nearby large parcels located directly inland and to the north of the harbor. Most of the coastal recreation resources in the City are located in the Harbor-Pier area, including a beach, the harbor and the piers. When the Land Use Plan amendment proved to be locally controversial, the City requested segmentation of the City for LCP purposes, separating the Harbor-Pier and related areas, from areas of the City where development standards were not proposed to change. The City then withdrew the proposed LUP amendment. The Commission approved the segmentation of the City into two areas, and found that development standards in Area One, the inland portion of the Coastal Zone, could be analyzed for cumulative effects on public access and visual resources separately from development standards applying to Area Two. The Commission found that development in Area One, which is already developed with commercial and residential uses, would not affect the intensity of development or circulation patterns or public access to the shoreline in Area Two. The Commission approved the implementation ordinance for Area One, and the City's complete LCP was effectively certified for that area as of September, 2003.

The City now indicates that eleven lots, more specifically described on Page 2 of this report, share more characteristics with the lots in Area One than with the lots in Area Two—they are relatively small lots; one is vacant, one supports industrial development that is at the end of its economic life, and the remaining nine lots are developed residentially. The lots are unlikely to be combined with other properties in Area Two that are closer to the water for recycling into visitor serving

commercial uses. Therefore the City proposes to move the geographic segment boundary northwest to include these eleven lots in Area One. These properties are currently designated Commercial in the certified LUP. The City then requests that the certified LUP Map and the certified LIP Zoning Map be amended to reflect the Area One boundary change and to incorporate residential land use and zoning designations for these parcels.

Detailed Description: The eleven lots are within Area Two of the Coastal Zone, located immediately northwest of the Coastal Zone Area One boundary, landward of North Catalina Avenue. The properties to be included are: 520 and 522 N. Elena Avenue; 526, 527, and 528 N. Francisca Avenue; 201, 203, 205, 207, and 209 Beryl Street; and parcel 7503010900 (See attached map).

In a second request, the City is requesting that the IP be amended to allow second units on all residential lots when the development complies with specific development standards in the LIP, including but not limited to restrictions on heights, setbacks, stories, floor area ratio and other City regulations. This change is proposed to comply with Section 65852.2(a) of the California Government Code, which requires cities and counties to consider second, "Granny Units", on residential lots "ministerially without discretionary review or a hearing." Cal. Gov. Code § 65852.2(a)(3).

The Executive Director recommends the Commission first **APPROVE** the amended segmentation of Coastal Zone Area One adding the eleven lots listed above to Area One, second, **APPROVE** the Land Use Plan Amendment as submitted because the LUP Amendment does conform with the Chapter Three policies of the Coastal Act, and third **APPROVE** the Implementation Program Amendment as submitted because the amendment does conform with and adequately carries out the policies of the certified Land Use Plan. **The appropriate resolutions and motions are on Pages 5, 9 and 12.** The findings for approval of the amended geographic segmentation, the new land use and zoning designations and the second-unit ordinance as submitted begin on Page 5.

LOCAL COASTAL PROGRAM HISTORY

The Commission effectively certified the City of Redondo Beach Land Use Plan on June 18, 1981 for the entire Redondo Beach coastal zone. After the LUP was approved, the City updated its General Plan and zoning, but did not update the LUP. In 1999 the Commission certified two project-driven amendments to the LUP. In May 1999 the Commission certified LUPA 1-99, which changed land use designations from Commercial to Residential on five acres at the inner boundary of the Coastal Zone. In June 1999, the Commission certified LUPA 2-99, which changed land use designations on 2.3 acres at the south end of the City from Community Shopping Center to Mixed-Use Commercial/Residential. On January 11, 2001 the Commission certified, with Suggested Modifications, a major LUP amendment that brought the LUP into conformance with the City's General Plan (RDB-MAJ-1-00). The amendment applied to most of the residentially and commercially developed areas of the City. The net result was a reduction of maximum height and densities. The Redondo Beach City Council unanimously adopted the Commission's recommendation on April 3, 2001 and LUPA 1-00 was effectively certified in May 7, 2001. On April 8, 2003, the Commission approved a geographic segmentation, dividing the Coastal Zone into two separate areas. The Commission effectively certified an Implementation Program for Coastal Zone Area One on September 11, 2003. The City does not have a certified Implementation Program for Area Two (Harbor-Pier, AES site and Catalina Corridor areas).

PUBLIC PARTICIPATION

The proposed revisions were submitted for Commission action pursuant to Resolution Nos. CC-0310-111, CC-0309-90, CC-0203-021 and CC-0311-122, and are contained in Ordinance Nos. 2912-03 and 2883-02.

The City Planning Commission held public hearings for the proposed LCP amendment on July 17, 2003, and May 15, 2003. The Redondo Beach City Council held public hearings for the LCP amendment on September 2, 2003, October 21, 2003 and October 7, 2003. The public hearings were advertised in local newspapers, which include the Easy Reader-Redondo Beach Hometown News and the Beach Reporter and notice was sent to property owners and interested parties. All staff reports were made available for public review in the Redondo Beach Planning Department.

The proposed LCP amendment was submitted to the South Coast District office on October 24, 2003. The amendment request was deemed incomplete pending receipt of a resolution stating when the City Council intends the amendment to take effect pursuant to Coastal Act Sections 30510(a) and California Code of Regulations Sections 13518(a) and (b), and 13551(a) and (b). The City Council submitted a new supplemental resolution (0311-122) that included the required language and was received by this office on November 21, 2003, thus completing the LCP amendment submittal.

ADDITIONAL INFORMATION

Copies of the City's submittal are available at the Redondo Beach City Hall, located at 415 Diamond Street, Redondo Beach, 90277. Copies are also available South Coast District office located in the ARCO Center Towers, 200 Oceangate, Suite 1000, Long Beach, 90802. For additional information, contact Melissa Stickney in the Long Beach Office at (562) 590-5071.

STANDARD OF REVIEW FOR GEOGRAPHIC SEGMENTATION

The standard of review for the geographic segmentation amendment, pursuant to Section 30511 of the Coastal Act, is that the area or areas proposed for separate review can be analyzed for the potential cumulative impacts of development on coastal resources and access independently of the remainder of the affected jurisdiction.

STANDARD OF REVIEW FOR LAND USE PLAN AMENDMENT

The standard of review for the proposed LUP amendment, pursuant to Sections 30512 and 30512.2 of the Coastal Act, is that the proposed amendment conforms to the policies of Chapter 3 (commencing with Section 30200).

STANDARD OF REVIEW FOR IMPLEMENTATION PROGRAM AMENDMENT

The standard of review for the proposed LIP amendment, pursuant to Section 30513 of the Coastal Act, is that the proposed implementation program conforms to and adequately carries out the provisions of the certified Land Use Plan.

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LIST OF EXHIBITS

1. Resolution No. CC-0311-122
2. Submittal - Geographic segmentation amendment and LUP/IP Map designations.
3. Existing Land Use Plan Map
4. Submittal – Second Unit Ordinance
5. Vicinity Map
6. Coastal Zone Map (Area One and Area Two)

I. STAFF RECOMMENDATION FOR GEOGRAPHIC SEGMENTATION

Staff recommends adoption of the following motion and resolution

APPROVAL OF GEOGRAPHIC SEGMENTATION AMENDMENT

MOTION I: I move that the Commission find that the Redondo Beach Coastal Zone area known as Coastal Zone Area One, as amended to include the eleven subject lots listed on Page 1 of the City Council Resolution No. CC-0309-90 dated September 2, 2003, can be analyzed for the potential cumulative impacts of development on coastal resources and access independently of Area Two of the Redondo Beach Coastal Zone, as amended to remove those same eleven lots.

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in the amendment of the geographic segmentation of the area for the purpose of LCP certification and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE GEOGRAPHIC SEGMENTATION:

The Commission hereby approves the amendment of the geographic segmentation of Redondo Beach Coastal Zone Area One for the purpose of LCP certification in the City of Redondo Beach on the grounds that the amended segment meets the requirements of Section 30511(c) of the Coastal Act, based on the findings and declarations noted in Section III of this report.

II. FINDINGS OF GEOGRAPHIC SEGMENTATION AMENDMENT

A. BACKGROUND

The Commission effectively certified the City of Redondo Beach Land Use Plan (LUP) on June 18, 1981. In 1999 the Commission certified two project-driven amendments to the LUP. On January 11, 2001 the Commission certified, with Suggested Modifications, a major LUP amendment that brought the LUP into conformance with the City's General Plan (RDB-MAJ-1-00). The City adopted the Commission's Suggested Modifications in April of the same year. The amendment concentrated on bringing the Land Use Plan applying to the residential and commercial areas into consistency with newly adopted zoning and General Plan amendments. Other than eliminating some vague language or obsolete policies it did not include any changes to land use designations or development policies applying to the Harbor-Pier, AES Power Plant and North Catalina Avenue areas pending further planning by the City.

On April 11, 2002 the City submitted an LUP amendment dealing with the Harbor-Pier area which was called the "Heart of the City" and the Implementing Ordinance and zoning for the entire Redondo Beach Coastal Zone. After public discussion of the "Heart of the City," including passage of an initiative rejecting the Heart of the City Specific Plan, the City requested that the LUP

Amendment pertaining to the Heart of the City and relevant Implementation Plan sections be withdrawn from consideration and that the Commission move forward with the implementation for the remaining areas of the Coastal Zone, outside of the Harbor-Pier area (Heart of the City). The City also requested that Area One, the Coastal Zone area outside of the Harbor-Pier, AES Power Plant, and North Catalina Avenue areas, be geographically segmented out and the LCP applying to Area One be certified, giving the City permit issuing authority for that area. For purposes of the segmentation, the Heart of the City was identified as Coastal Zone Area Two. Residential and commercial areas outside of Area Two were identified as Coastal Zone Area One. On April 8, 2003 the Commission approved a geographic segmentation request by the City of Redondo Beach and made the specific findings pursuant to Coastal Act Section 30511(c) enabling it to consider a part of the Coastal Zone separate from the rest of the Coastal Zone within the same jurisdiction. Section 30511(c) states that local coastal programs may be submitted and processed as follows:

In separate geographic units consisting of less than the local government's jurisdiction lying within the Coastal Zone, if the commission finds that the area or areas proposed for separate review can be analyzed for the potential cumulative impacts of development on coastal resources and access independently of the remainder of the affected jurisdiction.

The Commission found that the potential cumulative impacts of permitted development on coastal resources and public access can be considered separately for both the Heart of the City and the remainder of the Redondo Beach Coastal Zone. In this case, the City of Redondo Beach requests an additional eleven lots along the Area One boundary, located within Area Two and landward of North Catalina Avenue be included in already certified Area One because they share many characteristics with lots in Coastal Zone Area One.

Coastal Zone Area One is the inland residential and commercial area of the City's coastal zone that provides housing, neighborhood commercial establishments, public parks and also the 1.7 mile long sandy beach area south of the Area Two. It consists of the developed portion of the Redondo Beach Coastal Zone and includes residential and commercial lots east of North Catalina Avenue, east of the Harbor-Pier area and south of Torrance Boulevard (Exhibit 6). While there has been some moderate intensification of uses, as existing structures are rebuilt, the new structures are small residential and commercial structures, consisting of shops, single family homes and duplexes, and a few triplexes. Area Two (The Heart of the City) located in the northwestern portion of the Coastal Zone of the City, and includes land south of Herondo St, north of Torrance Boulevard and west of North Catalina Avenue, North Pacific Avenue and Harbor Boulevard (See Exhibit 6, Page 2). This area encompasses all of Redondo Beach's harbor and pier areas north of Torrance Boulevard, including King Harbor, Moles A, B, C and D, and the Pier Plaza/International Boardwalk area, extending eastward from the waterfront to include the AES Power Plant site and North Catalina Avenue and its adjacent commercially and industrially zoned properties. Its eastern boundary follows the border of the residential neighborhood to the east of North Catalina Avenue. Both Area One and Area Two provide public access to the ocean. Area Two includes properties that could potentially develop at greater intensity.

In approving segmentation, the Commission found that development decisions in Coastal Zone Area One, that are consistent with the density and parking standards of the proposed LIP would not affect Area Two public access and coastal resources. The eleven lots subject to this request share characteristics with the lots in Area One—they are for the most part, residentially developed, they are unlikely to recycle commercial use, and they are removed from the immediate coastline and the streets serving the Harbor-Pier area. Moving the segment boundary to the northwestern side of the eleven lots for purpose of including them in Area One will not have an adverse impact

on Harbor-Pier parking. The streets adjacent to these lots are too distant from the Harbor and the hotels and restaurants along Harbor Drive to support parking for these Area Two facilities (Exhibit 6, Page 2). Public on-street parking is provided along the frontage of the eleven lots. Under the provisions of local zoning and the certified LIP, development on these lots would be required to accommodate all parking on site. These sites are inland of Harbor Drive and are at higher elevations than most of Area Two, such that development on these sites will not impede views to the ocean from Harbor Drive or from visitor serving development in Area Two. Therefore public views to and from the beach and harbor and from Area Two will not be impacted by development within Coastal Zone Area One or by development on these lots.

Coastal Zone Area One consists mainly of commercial and residential land uses with some public open space (public beach and public parks). If the eleven lots were built out at the proposed LUP designations of low density multiple family residential (General Plan designations are currently R-3 for the lots), the LUP designations would not allow appreciable increases in the scale of development, land use or density. On the other hand the lots are not visible or close to the principal streets serving Area Two, and are unlikely to develop with successful visitor serving commercial uses. Therefore, if consistent with the LUP, changes in the area will not affect Coastal Zone Area Two (the City's Harbor-Pier and adjacent area).

The City was subdivided in the early years of the century. The eleven lots range from approximately 2,000 to approximately 6,000 square feet –similar to the size of a typical lot in Area One, and significantly smaller than the leaseholds and properties in Area Two. The majority of Area One is built out with single and multiple family residences and commercial establishments similar to that presently found on the eleven lots: three of which are currently developed with two units and six of which are developed with single family homes. As noted below the decision to allow these lots to be re-designated residential will not affect planning in Area Two or analysis of development and public access issues in either Area One or Area Two.

Therefore, certification of the LUP and LIP amendment that now includes the eleven subject lots with Area One is logical and approvable and will not have a cumulative impact on Area Two (the Heart of the City) segment of the Coastal Zone.

B. PUBLIC ACCESS

The LUP Public Access Section includes policies that anticipate certain public access improvements that link inland areas with the beach and the Harbor-Pier area. The Land Use Plan includes policies that require inland bike paths that lead into the Coastal Zone to be constructed by the City as funding becomes available. Moving the geographic segment boundary to include the eleven subject lots located adjacent to the current Area One boundary landward of North Catalina Avenue does not lessen the City's ability to analyze either segmented area for the potential cumulative impacts of development on bicycle trails or other forms of public access independently of the remainder of the affected jurisdiction.

The certified LUP access policies include a number of policies to address public parking for beach access, including policies to encourage parking structures. No parking structure is contemplated near these eleven lots. It also establishes a goal that the supply of on-street parking be retained for beach goers and access to the Harbor-Pier area. Finally, the LUP requires that on-site parking be provided for any new development throughout the Coastal Zone including in Coastal Zone Area One in order to preserve on-street parking for beach goers. Public on-street parking is provided along the frontage of the eleven lots, and development of these lots requires on-site parking as

provided in the LIP. The inclusion of the eleven lots to Area One does not affect the analysis of the cumulative impact on public parking of projects that are consistent with the certified Land Use Plan.

If the City were to consider major changes in its Land Use Plan policies for either area that address parking or the intensity of development, the impacts of the change on public access in both areas would need to be addressed. However, development in Coastal Zone Area One, which now would include the eleven lots, mainly affects public access to the beach that is located south of the pier, which is part of Coastal Zone Area One. These lots are not located north of the pier. Amending the geographic segment boundary to include the eleven subject lots does not change the Commission's April 8, 2003 finding that "considering the two parts of the City's plan separately does not preclude either the City or the Commission from considering affects of development in one segment on the other".

Public access in Coastal Zone Area One is necessary for the public to be able to access the stretch of public sandy beach that runs from south of the Redondo Pier down coast to the City boundary (Exhibit 6). According to the certified LUP, there are thirteen (13) public pedestrian vertical access ways to the beach within Coastal Zone Area One.¹ None of these walkways are near these lots. Area Two also contains public walkways throughout its waterfront areas. On April 8, 2003, the Commission found that separating the two areas does not affect the management or preservation of these walkways. In this case, the Commission finds that moving the geographic segment boundary to include the lots does not alter their previous finding. The eleven subject lots do not provide vertical access ways to the beach nor to the pier. The streets adjacent to these lots are interior residential streets that run north and south extending from Beryl Street to North Catalina Avenue (Exhibit 2, Page 8). Access to beaches in Coastal Zone Area One, which now includes the eleven additional lots, is not dependent on access in Area Two nor is public access in Area Two dependent on access in Coastal Zone Area One, which includes the eleven lots. Therefore, granting geographic segmentation amendment for Area One to include the eleven subject lots (Exhibit 2) is consistent with Section 30511(c) of the Coastal Act for purposes of public access analysis.

C. COASTAL RESOURCES

Coastal resources within the City of Redondo Beach consist of visitor-serving retail facilities, beaches, a Harbor-Pier area and sports fishing and recreational boating. The only habitat resources are found offshore. The City of Redondo Beach public beaches, marinas and designated fishing areas are heavily used by Redondo Beach citizens as well as tourists from all over the country. Coastal Zone Area One has an uninterrupted stretch of sandy beach that extends from the southern tip of the pier complex to the southern City limits. These lots are not near the beaches of Coastal Zone Area One, which are located south of the pier. An LUP recreation policy requires that the existing sandy beach be maintained and preserved. Adding the eleven lots to Area One will not lessen the effectiveness of the implementation of this LUP policy and expanding Area One to include the additional lots will not affect the Harbor-Pier area. Coastal Zone Area One, which now includes the eleven subject lots, does not contain any boating or fishing areas. These types of recreational amenities are all located within the Harbor-Pier area. Permitted development within Coastal Zone Area One, which now includes the eleven subject lots, will not affect the analysis of the Harbor-Pier area. Further expansion of sports fishing or recreational boating areas will be implemented within the Harbor-Pier area and will not impact the analysis of proposed expanded segmented residential and commercial area. Expanding Coastal Zone Area

¹ City of Redondo Beach certified Land Use Plan, Public Access Section, Page 62.

One to include the eleven lots and reducing Area Two by taking out the eleven lots will not lessen the Commission's ability to analyze either segmented area of the Redondo Coastal Zone for the potential cumulative impacts of development on coastal resources independently of the remainder of the affected jurisdiction.

D. CONCLUSION

Coastal Zone Area One consists predominantly of residential and neighborhood commercial uses and some public uses (parks, a sandy beach and public commercial facilities). The eleven subject lots that are now proposed to be included as part of Area One are small (2,000-6,000 sq.ft.); nine are developed residentially, one is vacant and one is developed industrially. None support commercial uses. Area Two, identified in a recent specific plan as the Heart of the City now supports visitor-serving commercial and water-oriented recreational uses. Amending the geographic segmentation to make the eleven lots part of Area One for the purposes of planning and for issuance of coastal development permits by the City will not preclude analysis of the potential cumulative impacts of development in either area on public access or coastal resources. Therefore, the Commission approves the geographic segmentation amendment to include the eleven lots described herein and listed in City Resolution No. CC-0309-90, (See Exhibit 2, Page 3-8).

III. RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT AS SUBMITTED

MOTION: I move that the Commission certify Land Use Plan Amendment
RDB-MAJ-1-03 as submitted by the City of Redondo Beach.

STAFF RECOMMENDATION TO CERTIFY:

Staff recommends a **YES** vote. Passage of the motion will result in certification of the land use plan as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT:

The Commission hereby certifies the Land Use Plan Amendment **RDB-MAJ-1-03** as submitted by **City of Redondo Beach** and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

IV. FINDINGS FOR APPROVAL OF LUP AMENDMENT

A. BACKGROUND

As described in staff reports addressing previous LUP amendments (RDB-MAJ-1-00 and RDB-LCP-1-02), the Redondo Beach City Council has continuously deferred consideration of most changes to LUP policies applying to the Harbor-Pier area, the AES power plant and North Catalina Avenue Corridor. As described in City Council Resolution No. CC-0309-90, the City Council voted to re-designate the eleven lots listed below from C-5 commercial to R-3 low density multiple family residential in March 2002, when it approved amendments to the Zoning Map, Coastal Land Use Plan Map (LUP), and the General Plan Land Use Map adopted as part of the Heart of the City Specific Plan. Following City Council's action to repeal the Specific Plan, the LUP Amendment dealing with the Heart of the City area was withdrawn from Coastal Commission consideration. According to the City, the public did not protest re-designation of the eleven lots at the public hearings for the Heart of the City Specific Plan.

Even though these lots are designated residential in the General Plan, they are still mapped as Commercial in the certified LUP. This is because the City withdrew the LUP amendment that applied to all lots in Area Two, and the change in land use designation that applied to these particular lots was incorporated into that amendment. A Commercial designation allows development that includes grocery stores, dry cleaners, beauty parlors, barbershops, drug stores and coffee shops and a wide range of retail and service commercial uses (retail, business offices, television repair, laundry agencies). In updating the General Plan as part of the Heart of the City planning effort, the City determined that these uses would not be viable or suitable for these lots. The City is now requesting an amendment to the LUP Maps to bring all plans into consistency with each other (General Plan, Coastal LUP and IP). The LUP amendment requests that these eleven lots be designated R-3 low density multiple family residential in the LUP Map. As listed previously, the eleven lots consist of: 520 and 522 N. Elena Avenue; 526, 527, and 528 N. Francisca Avenue; 201, 203, 205, 207, and 209 Beryl Street; and parcel 7503010900 (Exhibit 2).

As mentioned previously, the current uses on the eleven subject properties are mostly residential. Three of the lots are currently developed with two residential units and six of the lots are developed with single family homes (City of Redondo Beach staff report dated 9/02/03). One lot is vacant (corner of Beryl and Broadway) and one is at the east end of the city yard (lot on N. Gertruda). Surrounding development consists of multiple family residential uses to the east and commercial and industrial development to the west, along North Catalina Avenue. The eleven lots are located inland of North Catalina Avenue on residential streets and the lots range from two to six thousand square feet. Commercial development of the lots is not economically viable because of their size and their location. The City contends that the LUP designation of R-3 for the eleven lots would not allow appreciable increase in the intensity of land use. Most of the lots are already developed with residential units and the maximum density of 17.5 units per acre is consistent with the residential zone immediately adjacent to the east and provides a transition to higher intensity uses closer to Catalina Avenue. The maximum height for development on these lots is two stories and 30 feet. A maximum five units could be added to the existing twelve units if developed to the maximum permitted under R-3 land use regulations.

B. Public Access and Recreation

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

As described previously, the eleven lots subject to this LUP Amendment request are located inland of North Catalina Avenue on residential streets. Development allowed under the R-3 designation on these lots will not inhibit existing or future public access to the shoreline. These sites do not provide and are not required to provide public access ways. The residential streets fronting the subject lots do provide access to Catalina Avenue, which is a through street that brings traffic from Pacific Coast Highway down into the Coastal Zone and to the harbor-pier area and continues south towards the City of Torrance. There is no change proposed to the layout of the public streets, therefore no impacts to traffic routes or vehicles that use them to get to the coast. The certified LUP requires that on-street public parking be maintained and Coastal Act development policies require that parking be provided to serve public access. Development standards, for R-3 zoned areas, include on-site parking requirements to support the development therefore on-street parking is not impacted.

Coastal resources within the City of Redondo Beach consist of visitor-serving retail facilities, beaches, a harbor-pier area and sports fishing and recreational boating. These types of recreational amenities are all located within the harbor-pier area. Allowing residential development within the eleven lots will not diminish or reduce the amount of commercial recreation that is available in Redondo Beach. The City contends that commercial recreation development on these lots is not economically feasible because the lots are smaller and are located on residential streets. They are not located adjacent to Catalina Avenue where most incoming and outgoing harbor-pier traffic is found. If built out under R-3 zoning regulations, only five more residential units could be added to the existing units, which will not result in a significant increase in traffic on Catalina Avenue. The Commission finds that designating the eleven lots listed above as low density multiple family residential will not adversely impact public access to the coastline or to the recreational facilities that exist there. Therefore the Commission finds that the LUP Amendment is consistent with the public access and recreation policies of the Coastal Act.

C. Development and Visual Resources

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and,

where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The eleven lots subject to this request are not located in any designated view sheds or view corridors. The sites are currently designated commercial and industrial but are developed with residential. Allowing residential to be the permitted use on these lots will not allow any increases in height of development on the lots because the development standards for residential lots limit heights and setbacks. The maximum height for development on these lots is two stories and 30 feet. As mentioned above, there would not be a significant increase in density under R-3 zoning regulations. Due to their location inland of North Catalina Avenue in an area surrounded by residential and commercial development, development on the lots will not adversely impact public views to or from the beach, harbor or pier.

Re-designation of these lots from commercial to residential use is consistent with neighborhood character. The maximum density of 17.5 units per acre allowed for R-3 low density multiple family residential uses is consistent with the residential zone immediately adjacent to the east and provides a transition to higher intensity uses closer to North Catalina Avenue. The Commission finds that designating the eleven subject lots residential will not adversely impact public views and is consistent with Section 30251 of the Coastal Act.

V. RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

MOTION: I move that the Commission reject the Implementation Program Amendment for Coastal Zone Area One in the City of Redondo Beach as submitted.

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY IMPLEMENTATION PROGRAM AS SUBMITTED:

The Commission hereby certifies the Implementation Program for **Coastal Zone Area One in the City of Redondo Beach** as submitted and adopts the findings set forth below on grounds that the Implementation Program conforms with, and is adequate to carry out, the provisions of the certified **Land Use Plan as amended**, and certification of the Implementation Program will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program.

VI. FINDINGS FOR APPROVAL OF IP AMENDMENT AS SUBMITTED

The standard of review for LCP implementation plan submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

The City of Redondo Beach certified Land Use Plan contains land use policies and designations that in conjunction with the land use development standards and other programs (also included in the certified Land Use Plan), identify land uses and intensities to guide future development in the City's Coastal Zone. The LUP policies are designed to protect coastal access and coastal resources and to ensure that development is carried out in a manner consistent with the Chapter Three Policies of the Coastal Act. The Implementation Program (IP) contains zoning and other implementing measures to carry out the policies of the certified Land Use Plan. The City requests two changes to their certified Implementing Ordinance.

R-3A Zoning Map Change

First, in order to be consistent with the proposed Land Use Plan Amendment herein and the General Plan, the City requests that the eleven lots listed on Page 2 of this report be designated R-3A residential on the certified LIP Zoning Map. The Commission finds that designating the eleven lots low density multiple family residential is consistent with the proposed changes to the certified LUP and with the proposed LUP Map designation change included in this amendment. Approval of the LIP amendment as submitted will enable the IP to carry out the policies of the certified Land Use Plan as amended.

Second-Unit Ordinance

Second, the City requests an amendment to the LIP to allow second units in all residential zones in conformance with Section 65852.2(a) of the California Government Code. The amendments would allow second units to be approved subject to Administrative Design Review in all residential zones (subject to numerous standards and restrictions consistent with AB1866). The amendment includes modifications to Articles 1, 3, 5 and 12 of the Implementing Ordinance (See Exhibit 4). The amendment will allow second units on residential lots in limited circumstances.

A second unit by definition is an attached or detached residential dwelling unit, which provides complete independent living facilities including a bathroom, kitchen, and sleeping quarters for one or more persons on a residentially zoned lot that already contains one legally established residential unit. While the ordinance allows an increase in density of residential zones, it is consistent with all other aspects of the certified LUP. In order to maintain consistency with height and parking standards of the LUP, the City's ordinance requires that the second unit complies with all development standards of the IP applicable to the designated residential zone in which the second unit is to be located (single family or multiple family). Development standards include that a minimum square footage of lot area be available to add a second unit, that two additional on-site parking spaces are required to accommodate the parking demand of the second unit, and that development must comply with height and setback standards already certified. In addition, in single family zones, the maximum height for the second unit is limited to 15 feet high. Also, in single family residence zones, the ordinance does not permit variances and modifications for second units and the ordinance does not permit second units on single family zoned lots if the primary unit has received a variance or modification. In addition, the property owner must occupy either the primary unit or the second unit and prior to issuance of the building permit for a second unit, a covenant shall be recorded that specifies that no more than one of the units may be rented.

The amendment to allow second units would also allow second units to be approved subject to Administrative Design Review in all residential zones (subject to numerous standards and restrictions consistent with AB 1866). The City is not proposing changes to Article 10; the permit issuing ordinance of the IP, and the second unit would remain subject to a Coastal Development Permit according to the existing procedures in that article. Under Article 10, Section 10-5.2217 (public hearing waiver for minor development) would apply. The Commission finds that approving the proposed second-unit ordinance (Ordinance No. 2912-03) in this amendment and imposing the same development standards that are required for primary units on each lot enables the IP to adequately carry out the policies of the certified Land Use Plan.

Adequacy of the Second-Unit Ordinance to Carry Out the Certified Land Use Plan

The existing certified LIP does not contain second unit provisions in the Coastal Zone. As submitted, the proposed amendment revises the IP to allow such units in the Coastal Zone within residential zones as long as they are otherwise consistent with the existing underlying base zone requirements and applicable regulations. Those existing requirements and regulations have been certified by the Commission as adequate to carry out all of the City's certified Land Use Plan policies. In addition, the specific regulations on size, location, parking requirements and design of second units contained in the new ordinance language do not result in any conflicts with existing residential or coastal resource regulations designed to address the resource protection requirements of the Land Use Plan and Coastal Act. The proposed amendment will not reduce the level of review required for development in the Coastal Zone and will conform to requirements addressing adequacy of off-site parking, building density, and protection of public views to the ocean, etc. The City is proposing changes to portions of the IP that currently either prohibit or are silent to the development of second units to achieve internal consistency within the Code. Therefore, the Commission finds that while allowing an increase in the density of residential zones, the proposed amendments to the IP are fully consistent with, and adequate to carry out, the certified City of Redondo Beach LCP Land Use Plan.

VII. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform with CEQA provisions. In this particular case, all of the proposed amendments are being approved as submitted. Thus, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact on the environment. Therefore, the Commission finds the subject LCP implementation plan, as amended, conforms to CEQA provisions.